IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21638 of 2000

Date: 29th September, 2006

Between:

Gangapatnam Polaiah & another.

.. Petitioners

And

The District Collector,
Nellore district, Nellore & others.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21638 of 2000

ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the first respondent in granting administrative sanction in so far as excavation of leading (new) channel from 2.600 km. to 3.100 km. at Old Yellayapalem channel in Yellayapalem village, Kodavaluru mandal, Nellore district as arbitrary and illegal and consequently set aside the proceedings of the first respondent dated 30.5.2000.

This Court, while admitting the writ petition on 13.11.2000, dismissed the stay petition. Now a detailed counter affidavit has been filed, wherein it is asserted that in pursuance of the notification, the repairing and excavation work was completed during the period 2000-2001 and the ryots have been drawing water during the irrigation season and there is no complaint against the execution of the said work. In fact all the ayacutdars under the old Yellayapalem channel

are happy with the repairing and excavation to the said channel done in pursuance of the proceedings dated 30.5.2000, which is impugned in the present writ petition.

In view of the above, nothing survives for adjudication in this writ petition, therefore, the same is dismissed as infructuous. No order as to costs.

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C.V.RAMULU, J

Date: 29.9.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

29.9.2006